IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

Bail Appl..No. 4448 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.3448/2007 Dated 13/06/2007
CRIME NO.212 OF 2007 OF PATHANAPURAM POLICE STATION

.....

: PETITIONER/ACCUSED

RAJEEV, S/O.RAVINDRAN, CHAMBRAMON
PUTHEN VEEDU, PIRAVANTHOOR.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM (CRIME NO.212 OF 2007
OF PATHANAPURAM POLICE STATION).

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4448 of 2007

Dated this the 24th day of July, 2007

ORDER

Second application for regular bail. The petitioner initially faced allegations under Section 354 I.P.C. In the course of investigation, the allegation under Section 376 read with 511 I.P.C has also been raised. I have already adverted to the facts in detail in the order dated 05.07.07. This order will have to be read in continuation of the said order. It is not hence necessary to advert to facts in the greater detail. The alleged incident took place on 15.05.07. The petitioner was arrested on 22.06.07. In broad day light, by the side of a public road, the petitioner alleged to have indecently assaulted and attempted to commit rape on the defacto complainant, a woman, aged about 21 years, a home nurse. The petitioner has criminal antecedents. He is an accused in an offence under Section 302 I.P.C.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer, the final report having already been filed and I am satisfied that the petitioner can now be granted bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall not enter the jurisdiction of Pathanapuram Police Station for a period of 2 months from the date of his release, except for the purpose of complying with condition No.(iii) below;

iii) The petitioner shall during the said period, report before the Investigating Officer between 5 p.m and 6 p.m on the first Mondays of all English calendar months.

(R.BASANT, JUDGE)

rtr/-